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IN THE HIGH COURT OF JUDICATURE AT BILASPUR
CHHATTISGARH

Civil Revision No. 137 /2006 Single Bench

APPLICANTS

1) Leela Devi W/o. late Surendra Singh Aged about 35 years,

2) Mahendra Kumar S/o- Late Surendra Singh Aged about 14 years (minor)

Through :- His natural guardian mother Leela Devi Dhurve,

Both are the resident of Village Domartola, Tehsil Mohla, Distt Rajnandgaon(C.G.)

P.R. No. 26/3/06
Presented by Shri Anant Ram
dated 15/9/06

VERSUS

NON APPLICANTS

1) Smt. Ishwari W/o- Surendra Dhurve Aged about 38 years.

2) Lal Prasad S/o- Late Surendra Dhurve Aged about 16 years

3) Kumari Neha D/o- Late Surendra Dhurve Aged 9½ year.

Non applicants no. 2 & 3 are minor , through their natural guardian mother Smt. Ishwari Devi, All resident of Village Aamapara Ambagarh Chowki, Tehsil & District Rajnandgaon (C.G.)

(Anant Ram S/o- Barnu Aged about 56 years (Dead) was father of the late Surendra Singh Dhurve, the only son, who expired during the pendency of the case and therefore, neither his legal

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representative ~~were~~ was brought on records nor he has been impleaded as party in the instant revision.)

384(3) OF THE INDIAN SUCCESSION ACT R/W

CIVIL REVISION UNDER SECTION 115 OF THE CIVIL PROCEDURE CODE

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक C.R.No.137/..... **सन् 2006**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक एवं आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	15.02.2007 Shri Anoop Mazumdar,Counsel for the applicants. Heard on admission. The applicants are aggrieved by the order dated 17.07.2006 passed by the First Additional District Judge, Rajnandgaon in Misc. Appeal No.15 of 2005 affirming the order dated 07.07.2005 passed by the Civil Judge Class-I, Ambagarh Chowki, Rajnandgaon in succession case No. 3 of 1998 disentitling the applicant Leela Devi from issuance of succession certificate in her favour on the ground that she was not the married wife of late Surendra Singh. I have perused the record of succession case No.3 of 1998 with utmost circumspection. The order passed by the Civil Judge Class-I, Ambagarh Chowki, Rajnandgaon is based on proper appreciation of the evidence and the documents available on record. There is nothing on record to suggest that the Courts below have acted in exercise of jurisdiction illegally or with material irregularly. It is also worthwhile to mention that in the affidavit filed by Leela Devi before Civil Judge Class-I, Ambagarh Chowki she had made a statement on oath that her marriage with Surendra Singh was performed in the year 1998 i.e. during the subsistence of marriage of late Surendra Singh with non-applicant No.1-Iswari. In view of the above circumstances, this revision being devoid of merit is dismissed at the stage of admission. **Sd/-** **Dilip Raosaheb Deshmukh** **Judge**	

P.T.O.